REMARKS

Birenbaum et al.

Reconsideration is requested of the Examiner's rejection of Claims 1, 3, 6, 10, 11, 13-15 and 17 under 35 U.S.C. 102(b) as being anticipated by Birenbaum et al., U.S. Patent No. 4,768,151. Reconsideration is also requested of the Examiner's rejection of Claims 5, 7, 8, 12 and 16 under 35 U.S.C. 103(a) as being unpatentable over Birenbaum et al., U.S. Patent No. 4,768,151. The Examiner relied on Birenbaum et al. for disclosing all the elements of the rejected claims.

Claim 1 is amended to include the limitations of claim 2 (now canceled), which the Examiner admits is not anticipated under §102(b) or unpatentable under §103(a) based on Birenbaum et al. Therefore, amended claim 1 is allowable over Birenbaum et al. Similarly, claims 3-12, 16 and 17 depend from amended claim 1 and are believed to be allowable over Birenbaum et al.

Claim 13 is amended to read: "receive electronically from a second computer via a communication link and store in said first computer blocks of predetermined numbers and blocks of predetermined patterns for a bingo session ...." As the Examiner admits in ¶6 of the Office Action, Birenbaum et al. "does not disclose using the apparatus to communicate with other similar apparatus' with a communications protocol ...." Therefore, amended claim 13 is allowable over Birenbaum et al. Similarly, claim 15 depends from amended claim 13 and is believed to be allowable over Birenbaum et al.

Claim 14 is amended to read: "receive electronically from a second computer via a communication link and store in said first computer blocks of predetermined data comprising blocks of predetermined numbers and blocks of predetermined patterns for a lottery session ...."

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As the Examiner admits in ¶6 of the Office Action, Birenbaum et al. "does not disclose using the apparatus to communicate with other similar apparatus' with a communications protocol ...."

Therefore, amended claim 14 is allowable over Birenbaum et al.

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Birenbaum et al. in view or Richardson

Reconsideration is requested of the Examiner's rejection of claims 2, 4 and 9 under 35 U.S.C. 103(a) as being unpatentable over Birenbaum et al., U.S. Patent No. 4,768,151, and Richardson, U.S. Patent No. 4,747,600. The Examiner relied on Richardson for disclosing "a programmable apparatus for aiding a player in a game of bingo in which a base unit processor (10) communicates with a remote player apparatus processor (23) through a communication port (24)."
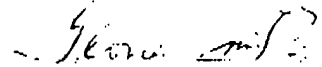
Claim 2 is now incorporated in amended claim 1, which recites a "portable" programmable apparatus, which is patentably distinguishable from the "base unit processor (10)" of Richardson, which includes "a keyboard 16, video monitor 18, printer 20, computer 22, communications cradle 24 and disk drive 26 connected as a data processing system." Column 6, lines 14-17. Richardson discloses a "system base station 10, a plurality of electronic BINGO or gaming boards 12, and a plurality of validation units 14." As evidenced in Figure 1 and in the specification, Richardson intentionally teaches a substantially larger base station 10 and a plurality of smaller, portable, gaming boards 12 and validation units 14. Richardson fails to disclose, teach or suggest that the programmable apparatus be "portable" See, Specification, page 14, line 22. Therefore, amended claim 1 is allowable over Birenbaum et al. in view of Richardson. Similarly, claims 4 and 9 depend from amended claim 1, and are similarly allowable over Birenbaum et al. in view of Richardson.

New claims 18-21 are added to further amplify the present invention.

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Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is entitled "Version with Markings to Show Changes Made."

By virtue of the Applicant's amendment, including the arguments for the allowance of the claims, all outstanding grounds of rejections and objections have been addressed and dealt with and, based thereon, it is believed that the application is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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Version with Markings to Show Changes Made

In the Claims:

Amend claims 1, 4, 13 and 14 as follows:

1.   (Amended) A portable programmable apparatus for aiding a player in an interactive
manner in the performance of a game of chance comprising:
        a processor whose actions are directed by a computer program and having a plurality of
ports;
        a readable memory for storing blocks of data representative of predetermined numbers and
also representative of predetermined patterns, said blocks of data being furnished from a media
having magnetic coded information which is accessible by means movable relative to said
information of said media, wherein said predetermined numbers and patterns are correlated to each
other to provide games of chance and are capable of being accessed and manipulated by said
processor in response to said computer program:
        means connected to one of said ports for providing an interactive dialogue between a player
using the apparatus and said processor during the performance of said game of chance, said
interactive means allowing the player using the apparatus to enter data associated with said game of
chance; [and]
        means connected to one of said ports for providing a display of the stored blocks of data, the
data entered by way of said interactive means, and intermediate and final stages of the performance
of said game of chance; and
        means for providing a communication protocol for said processor to adapt said processor to
communicate with another processor.

4.   (Amended) The programmable apparatus according to claim [2] 1, wherein said
means for providing a communication protocol comprises a modem and means for re-programming
said another processor by way of said modem.

13.   (Amended) A computer readable storage medium encoded with machine-readable
computer program code to define a predetermined schedule of Bingo cards, wherein, when the
computer program is executed by a first computer, the computer program code causes [the] said
first computer to:
        (a)   receive electronically from a second computer via a communication link and store in
said first computer blocks of predetermined numbers and blocks of predetermined patterns for a
bingo session with said block of numbers and patterns defining said schedule of Bingo cards for
said bingo session, each block of numbers and each block of predetermined patterns being
respectively correlatable to each other and representative of said defined Bingo cards for said bingo
session;
        (b)   process input requests to said computer so as to retrieve at least one of said defined
Bingo cards comprised of a respective block of predetermined numbers and a respective block of a
predetermined pattern;

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(c)   process further input requests to said computer corresponding to input numbers and comparing said input numbers against said numbers and patterns of said defined Bingo games and determining if a match exists therebetween;

(d)   process the matched/non-matched numbers against said predetermined patterns and determining if correspondence exists therebetween; and

(e)   continuing steps (b), (c), and (d) until said step (b) is requested to respond to another selected defined Bingo card.

14.   (Amended) A computer readable storage medium encoded with machine-readable computer program code to define a predetermined schedule of lottery game tickets, wherein, when the computer program is executed by a first computer, the computer program code causes [the] said first computer to:

(a)   receive electronically from a second computer via a communication link and store in said first computer blocks of predetermined data comprising blocks of predetermined numbers and blocks of predetermined patterns for a lottery session with said blocks of numbers and patterns defining said predetermined schedule of lottery game tickets for said lottery session, each block of numbers and each block of predetermined patterns being respectively correlatable to each other and representative of said defined lottery game tickets for said lottery session;

(b)   process input requests to said computer so as to retrieve at least one of said defined lottery game tickets comprised of a respective block of predetermined numbers and of a respective block of a predetermined pattern; and

(c)   process input requests to said computer corresponding to input numbers and comparing said input numbers against said numbers and patterns of said defined lottery game ticket and determining if a match exists therebetween.

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In re: John Q. Adams et al.

Ser./Pat/Reg. 09/179,945

For: ELECTRONIC AID FOR GAMES OF CHANCE

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